

(22mar9)

**Why the Judicial Conference of the United States
Will Tolerate Again
The Systematic Dismissal of Complaints Against Its Peer Judges**

The Judicial Conference of the U.S., the highest policy-making body of the federal judiciary, met at the Supreme Court on, March 17. (Public Information Office: 202-479-3211, Clerk's Office: 202-479-3011) Separate meetings of the circuit judges, district judges, and the many specialized committees of the Judicial Conference were scheduled to be held at the Administrative Office of the U.S. Courts in Washington, D.C., between Monday, 16, and Wednesday 18. (202-502-2600) <http://www.uscourts.gov/> Among those committees is the Committee on Judicial Conduct and Disability, which handles petitions for review concerning any complaint against a federal judge or magistrate for misconduct or disability.

All their meetings are secretive so as to protect judicial unaccountability. What would happen to democracy if the president and all members of Congress were appointed for life, remaining in office regardless of their misconduct or disability, and held all cabinet meetings and sessions behind closed doors followed by no press conference, but merely a short trivial and anodyne press release? http://Judicial-Discipline-Reform.org/docs/JConf_press_release_16sep8.pdf

Judicial unaccountability becomes apparent in the pending petition to that Committee concerning a judicial misconduct complaint.
http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition_25feb9.pdf

It contains the equivalent of a template that other complainants against judges that engage in misconduct or are disable can adapt to their own petition to the Committee once they have reached that stage in the series of procedural stages. That series is this:

1. You file your judicial complaint with the chief circuit judge of your circuit or the complained-against judge's, as provided for in the Judicial Conduct and Disability Act. 28 U.S.C. §351(a). (<http://Judicial-Discipline-Reform.org/docs/28usc351-364.pdf>; on how to write a complaint see http://Judicial-Discipline-Reform.org/Follow_money/complaint_advice.pdf)

You must also comply with the Rules for Judicial Conduct and Disability Proceedings. (http://Judicial-Discipline-Reform.org/docs/Rules_complaints.pdf). See Rule 3(h).

2. The chief circuit judge systematically dismisses it, which in 99.86% of cases –see table and graphs at <http://Judicial-Discipline-Reform.org>- is without appointment of a special committee and thus, out of hand with no investigation.
3. You petition the respective circuit's judicial council for review of the chief's dismissal.
4. The judicial council systematically denies the petition, which the Judicial Council of the Second Circuit has done in 100% of cases in the past 11 years from 1oct96 to 30sep7 –see table with official statistics at the above-mentioned [petition](#), page N:39 (after N:51-N:84)-. The chief circuit judge who dismissed the complaint in the first place is the council's presiding member and is allowed to review on appeal his or her own dismissal. Cf. 28 U.S.C. §47
- 5a. You petition for review the Committee on Judicial Conduct and Disability, which is composed of judges, the peers of the complained-against judge. In the 29 years since the enactment of the Misconduct Act in 1980 it has issued only 19 decisions. By contrast, in the

2007-08 term alone, the Supreme Court issued 67 signed opinions and disposed of 72 cases.
http://Judicial-Discipline-Reform.org/judicial_complaints/1Comm_JCond_decisions.pdf
http://Judicial-Discipline-Reform.org/judicial_complaints/2Comm_JCond_decisions.pdf

5b. You may simultaneously appeal to the 27-judge Judicial Conference itself –see the petition below-, which is composed of the Chief Justice, who is its presiding member, the 14 chief circuit and national court judges, and 12 representative district judges.
http://Judicial-Discipline-Reform.org/JNinfo/25Committee/7DrCordero-JConference_28feb9.pdf

Thus, the chief circuit judge who dismissed your complaint in the first place is a member of the Conference too and is also allowed to exercise appellate review over his own appealed dismissal. What are the chances that he will not ask for, expect, and receive deference to his decision to dismiss, from his peers and issue IOUs redeemable when another peer’s dismissal is being challenged? Remember, their meetings are secretive.

From the first stage, that is, the complaint, the emphasis must be placed on setting forth the elements of the judge’s misconduct and/or disability and how either constitutes “conduct prejudicial to the effective and expeditious administration of the business of the courts”. See the petition, page N:1. If the misconduct is related to the judge’s decision or ruling, then it must be “alleged to be the result of an improper motive, e.g., a bribe, ex parte contact, racial or ethnic bias, or improper conduct in rendering a decision or ruling, such as personally derogatory remarks irrelevant to the issues”. Rule 3(h)(3)(A)

In due course you reach the stage of petitioning the Committee. There the emphasis must be laid on arguing that the Committee has jurisdiction over the petition based both on the facts of the complaint and its compliance with Rule 21 and 22; and that it should exercise such jurisdiction because of the indisputable fact that by failing to do so it would tolerate its peers’ unlawful and corruptive self-exemption from discipline. The [petition](#) serves as a template for doing so.

By then you have spent a lot of money, effort, and time, and have endured or must continue to endure the consequences of the complained-against judge’s misconduct or disability; yet, his or her peers will systematically dismiss your complaint or deny your petition for review, for they must protect the status that they have arrogated to themselves: Judges Above the Law. See http://Judicial-Discipline-Reform.org/Follow_money/Dynamics_of_corruption.pdf

The chances that the judges will pay any attention to a complaint against a peer increase from 0% to 0.14% (less than 1 seventh of 1 percent) if you bring it to the attention of the media and the latter shames the judges into taking some action to give the appearance that they are able and willing to discipline themselves...at the risk of the complained-against judge yelling at them, “I know enough about your own wrongdoing. If you bring me down, *I take you with me!*” See http://Judicial-Discipline-Reform.org/docs/SCt_knows_of_dismissals.pdf

The cover letter with the petition to the Conference sent to Supreme Court Chief Justice John Roberts, Jr., as its presiding officer, asked whether he would countenance once more ‘the collegial complicity of judges covering their coordinated wrongdoing’. It requested that he cause the Conference to exercise jurisdiction over the petition and open an investigation of it when the Conference would meet on March 17, at the Supreme Court. Could he too be brought down if he took on his peers by trying to discipline judges who misconduct themselves or are disable?
http://Judicial-Discipline-Reform.org/JNinfo/25Committee/7DrCordero-JConference_28feb9.pdf

How would your bosses behave if they had no fear of being disciplined at all?